

REMARKS

Claims 1-17 are pending in this application after this Amendment. Claims 1, 4, 13, and 17 are independent. In light of the amendments and remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

By this Amendment, Applicants have amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner rejected claims 1-3 and 5 under 35 U.S.C. § 102(b) as being anticipated by *Noguchi et al.* (USP 4,978,980); and rejected claims 4-16 under 35 U.S.C. § 103(a) as being unpatentable over *Noguchi et al.* in view of *Yasui et al.* (USP 5,839,032). Applicants respectfully traverse these rejections.

The Examiner additionally objected to claims 3-4, 10-12, and 14-16 based on minor informalities. Applicants respectfully disagree with these objections.

Claim Objections

The Examiner objected to claims 3-4, 10-12, and 14-16, asserting "the second sheet detection means" as set forth in claims 3 and 14 is vague. The Examiner asserts that "sheet" should be

"path". Applicants respectfully disagree with the Examiner's assertions.

It is respectfully submitted that the claim language is clearly in conformity with the language as set forth in the specification. For example, as disclosed on page 16, lines 2-22, the sheet sensor (S3) is provided downstream of the intermediate roller (R2) and detects the passing of the first sheet (P1). As such, the phrase "second sheet detection means" is consistent with the disclosure of the specification. As such, it is respectfully requested that the outstanding objection be withdrawn.

With regard to the Examiner's objection to claims 4, 9-11, and 15-16, by this Amendment, Applicants have amended the abbreviation "PS roller" to recite "resist roller". Based upon this amendment, it is respectfully requested that the outstanding objection be withdrawn.

Claim Rejections - 35 U.S.C. § 102

By this Amendment, Applicants have amended claim 1 to recite, *inter alia*, a two-side image forming apparatus comprising an intermediate roller provided along the second sheet-transferring path and a resist roller for synchronizing a timing at which a sheet is transferred onto the first sheet transferring path wherein the rotation of the intermediate roller is in synchronism with a resumption of the rotation of the resist roller.

In contrast, the disclosure of *Noguchi et al.* is directed to a control method for a both-surface/multiplex recording apparatus. Specifically, at col. 8, lines 45-66, *Noguchi et al.* discloses relying on variable transfer speeds v and V to facilitate proper timing of sheet transfer. However, there is no teaching or suggestion in *Noguchi et al.* that is directed to an intermediate roller and a resist roller wherein rotation of the intermediate roller is in synchronism with a resumption of the rotation of the resist roller as set forth in claim 1, as amended. As *Noguchi et al.* fails to teach or suggest all of the claim elements, it is respectfully requested that the outstanding rejection be withdrawn.

It is further submitted that claims 2-3, 5-8, and 12 are allowable for the reasons set forth above with regard to claim 1 at least based upon their dependency on claim 1.

Claim Rejections - 35 U.S.C. § 103

By this Amendment, Applicants have amended claim 4 to be rewritten in independent form. In support of the Examiner's rejection of claim 4, the Examiner admits that *Noguchi et al.* fails to disclose a PS roller located at a crossing point between the second sheet-transferring path and that part of the first sheet-transferring path which is between the unprinted sheet storage section and the image transcribing section. The Examiner relies on the teachings of *Yasui et al.* to cure the deficiencies of the teachings of *Noguchi et al.*, referring to rollers 34a and 34b.

Applicants respectfully disagree with the Examiner's characterization of these references.

Claim 4, as amended, recites, *inter alia*, a two-side image forming apparatus comprising a resist roller located at a crossing path between the second sheet-transferring path and that part of the first sheet-transferring path which is between the unprinted sheet storage section and the image transcribing section, for adjusting a resuming timing for resuming the transfer of the sheet to the image transcribing section in order to adjust on which part of the sheet an image is to be transcribed by the image transcribing section.

In contrast, the disclosure of Yasui et al. is directed to an image forming apparatus having selectably controlled sheet discharge paths. As disclosed at col. 5, lines 45-50, registration rollers 34a and 34b are disposed on the conveying path 33 and before the transfer unit 15 and feed the sheet P with a predetermined timing, toward the nip between the transfer unit 15 and the photo conductive element 11. However, there is no teaching or suggestion in Yasui et al. that is directed to a resist roller for adjusting a resuming timing for resuming the transfer of the sheet to the image transcribing section. As Yasui et al. fails to cure the deficiencies of the teachings of Noguchi et al., it is respectfully submitted that claim 4 is not rendered obvious by the teachings of the references as cited by the Examiner (assuming

these references are combinable, which Applicants do not admit). As such, it is respectfully requested that the rejection of claim 4, together with claims dependent thereon, be withdrawn.

By this Amendment, Applicants have rewritten claim 13 in independent form. Claim 13, as amended, recites, *inter alia*, a two-side image forming apparatus wherein the first sheet-transferring path, the second sheet-transferring path, and the switch-back means, respectively, include sheet transfer driving sections which are independently driven by different driving sources.

In reviewing the Examiner's rejection of this claim, it appears that the Examiner has failed to consider this claim element. Should the Examiner maintain his rejection of this claim, it is respectfully requested that the Examiner do so in a non-final Official Action.

In addition to the above, there is no teaching or suggestion in *Yasui et al.* that is directed to the first sheet-transferring path, the second sheet-transferring path, and the switch-back means, respectively, include sheet transfer driving sections which are **independently driven by different driving sources**. As such, *Yasui et al.* fails to cure the deficiencies of the teachings of *Noguchi et al.* As neither of the references, either alone or in combination, teach or suggest this claim element, it is respectfully submitted that claim 13 is not obvious based on the teachings of the cited references. As such, it is respectfully

requested that the outstanding rejection of claim 13, together with claims dependent thereon, be withdrawn.


Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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